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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,912	10/30/2001	Memphis Zhihong Yin	10017897-1	5841

7590 02/23/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O Box 272400
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EXAMINER

WU, XIAO MIN

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/015,912	Applicant(s) YIN, MEMPHIS ZHIHONG	
	Examiner XIAO M. WU	Art Unit 2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-9,11,14-17,19-24,26 and 28-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-9,11,14-17,19-24,26 and 28-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102.

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 5-10, 13-18, 20-22, 24, 26-28, 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Cho (US Patent No. 6,081,902).

As to claims 1, 8-9, 16-17, 22, 28, Cho discloses a portable computing device, comprising: a graphical display; a power source configured to provide power to generate the graphical display; a selectable control configured to initiate a process to shutdown the portable computing device (col. 4, lines 29-30), and a component configured to turn off the graphical display and conserve the power to operate the graphical display when the selectable control is selected and before the process to shutdown the portable computing device is initiated (col. 4, lines 21-24).

As to claims 2, 10, 18, 27, Cho discloses that the computer is a portable laptop which is inherent to include a battery power source.

As to claims 5, 13, 21, 26, Cho discloses that the component is a graphical display controller.

As to claims 6, 14, 20, 24, 30, Cho discloses that the component is further configured to determine when the selectable control is selected (col. 4, lines 25-30).

As to claims 7, 15, Cho discloses that the component is a software application configured to determine when the selectable control is selected (see Figs. 4-6).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-4, 11-12, 19, 23, 25 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cho (US Patent No. 6,081,902).

It is noted that Cho discloses using a system power switch to initiate a power shutdown process. Cho does not disclose to select the shutdown process on the screen. However, it is well known in the art to shutdown the computer by selecting a shutdown button displaying on the screen such as taught by applicant's admitted prior art as shown in Fig. 1. it would have been obvious to one of ordinary skill in the art to have modified Cho with the features of the shutdown button as taught in the admitted prior art so that the user can shutdown the computer by using a cursor in stead of pushing a physical switch.

As to claims 3, 11, 19, 23, 29, Cho discloses that the selectable display is configured to display the selectable control.

As to claims 4, 12, 25, Cho discloses that the selectable control is an operating system selectable control displayed on the graphical display.

Response to Arguments

5. Applicant's arguments filed 10/1/2004 have been fully considered but they are not persuasive.

Applicant argues that Cho and/or Applicant's Fig. 1 does not teach or suggest that a graphical display is turned off before the operating system is shutdown, as recited. This argument is not persuasive because the applicant's admitted prior art as shown in Fig. 1 shows that a shutdown processing for a computer with the exception of "display is turned off before the operating system is shutdown". However, the secondary reference to Cho clearly teaches that the display power is turned off before other components of the computer are shutdown or turned off. Thus, the combination of the admitted prior art in Fig. 1 and Cho would provide a blank display when the shutdown processing is initiated, so that the display power can be saved and the flickering and afterimage can be avoided.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Patrick Edouard**, can be reached on (703) 308-6725.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:


(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

xw

February 21, 2005


XIAO WU
PRIMARY EXAMINER
ART UNIT 2674